

104TH CONGRESS
2D SESSION

H. R. 3487

To reauthorize the National Marine Sanctuaries Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 1996

Mr. SAXTON (for himself and Mr. FARR of California) introduced the following bill; which was referred to the Committee on Resources

A BILL

To reauthorize the National Marine Sanctuaries Act, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Marine Sanc-
5 tuaries Preservation Act”.

6 **SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES**
7 **ACT.**

8 Except as otherwise expressly provided, whenever in
9 this Act an amendment or repeal is expressed in terms
10 of an amendment to, or repeal of, a section or other provi-
11 sion, the reference shall be considered to be made to a

1 section or other provision of National Marine Sanctuaries
2 Act (16 U.S.C. 1431–1445a).

3 **SEC. 3. REAUTHORIZATION OF THE NATIONAL MARINE**
4 **SANCTUARIES ACT.**

5 Section 313 (16 U.S.C. 1444) is amended to read as
6 follows:

7 **“SEC. 313. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to the Sec-
9 retary to carry out this title—

10 “(1) \$12,000,000 for fiscal year 1997;

11 “(2) \$13,500,000 for fiscal year 1998; and

12 “(3) \$15,000,000 for fiscal year 1999.”.

13 **SEC. 4. MANAGEMENT, RECOVERY, AND PRESERVATION**
14 **PLAN FOR U.S.S. MONITOR.**

15 The Secretary of Commerce shall, on or before May
16 1, 1997, prepare and submit to the Committee on Re-
17 sources of the House of Representatives a long-range,
18 comprehensive plan for the management, stabilization,
19 preservation, and recovery of artifacts and materials of the
20 United States ship Monitor.

21 **SEC. 5. PUBLICATION OF NOTICE OF CERTAIN ADVISORY**
22 **COUNCIL MEETINGS.**

23 Section 315(e)(3) (16 U.S.C. 1445a(e)(3)) is amend-
24 ed by inserting before the period at the end the following:

25 “, except that in the case of a meeting of an Advisory

1 Council established to provide assistance regarding any in-
2 dividual national marine sanctuary the notice is not re-
3 quired to be published in the Federal Register.”.

4 **SEC. 6. ENHANCING SUPPORT FOR NATIONAL MARINE**
5 **SANCTUARIES.**

6 Section 316 (16 U.S.C. 1445 note) is redesignated
7 as section 319, and the following new section is inserted
8 after section 315:

9 **“SEC. 316. ENHANCING SUPPORT FOR NATIONAL MARINE**
10 **SANCTUARIES.**

11 “(a) AUTHORITIES.—The Secretary may—

12 “(1) create, adopt, and publish in the Federal
13 Register a symbol for the national marine sanctuary
14 program or for any individual national marine sanc-
15 tuary (or both);

16 “(2) solicit persons to be designated as official
17 sponsors of the national marine sanctuary program
18 or of individual national marine sanctuaries;

19 “(3) designate persons as official sponsors of
20 the national marine sanctuary program or of individ-
21 ual sanctuaries;

22 “(4) authorize the manufacture, reproduction,
23 or use of a symbol published under paragraph (1),
24 by appropriate persons designated as sponsors of the

1 national marine sanctuary program or of any indi-
2 vidual national marine sanctuary, as applicable;

3 “(5) establish and collect fees for manufacture,
4 reproduction, or use of symbols published under
5 paragraph (1), in the form of monetary payments or
6 in-kind contributions; and

7 “(6) create, market, and sell products to pro-
8 mote the national marine sanctuary program or any
9 individual national marine sanctuary, and enter into
10 exclusive or nonexclusive agreements authorizing
11 persons to create, market, or sell such products.

12 “(b) CONTRACT AUTHORITY.—The Secretary may
13 contract with any person for the creation of symbols or
14 the solicitation of official sponsors under subsection (a).

15 “(c) RESTRICTIONS.—The Secretary shall restrict the
16 use of symbols published under subsection (a) and the des-
17 ignation of official sponsors of the national marine sanc-
18 tuary program or of any individual national marine sanc-
19 tuary, to ensure compatibility of a use or designation with
20 the purposes and policies of this title.

21 “(d) PROPERTY OF THE UNITED STATES.—Any sym-
22 bol which is adopted and published in the Federal Register
23 by the Secretary under subsection (a) is deemed to be the
24 property of the United States.

25 “(e) PROHIBITED ACTIVITIES.—It is unlawful—

1 “(1) for any person who is an official sponsor
2 designated by the Secretary under subsection (a) to
3 influence or seek to influence any decision by the
4 Secretary or any other Federal official related to the
5 designation or management of a national marine
6 sanctuary, except to the extent that a person who is
7 not an official sponsor may do so;

8 “(2) for any person who is not designated by
9 the Secretary under subsection (a) as an official
10 sponsor of the national marine sanctuaries program
11 or of an individual national marine sanctuary to rep-
12 resent himself as being such an official sponsor;

13 “(3) for any person to manufacture, reproduce,
14 or use any symbol adopted and published by the Sec-
15 retary under subsection (a), if the person—

16 “(A) is not an official sponsor designated
17 by the Secretary under subsection (a); or

18 “(B) has not paid any fee established by
19 the Secretary for that manufacture, reproduc-
20 tion, or use; or

21 “(4) to violate any regulation promulgated by
22 the Secretary under this section.

23 “(f) NATIONAL MARINE SANCTUARIES ACCOUNT.—

24 “(1) ESTABLISHMENT.—There is established in
25 the general fund of the Treasury a separate account,

1 which shall be known as the ‘National Marine Sanc-
2 tuaries Program Account’. The Account consists
3 of—

4 “(A) a national marine sanctuaries pro-
5 gram subaccount; and

6 “(B) a subaccount for each national ma-
7 rine sanctuary.

8 “(2) DEPOSITS.—

9 “(A) IN GENERAL.—There shall be depos-
10 ited into the Account all amounts received by
11 the United States as fees under subsection
12 (a)(5) or as proceeds of products under sub-
13 section (a)(6).

14 “(B) CREDITING SUBACCOUNTS.—
15 Amounts deposited into the Account as pro-
16 ceeds of any symbol for, or product relating to,
17 the national marine sanctuary program gen-
18 erally shall be credited to the national marine
19 sanctuaries program subaccount. Amounts de-
20 posited into the Account as fees or other pro-
21 ceeds of any symbol for, or product relating to,
22 an individual national marine sanctuary shall be
23 credited to the subaccount for that national ma-
24 rine sanctuary.

1 “(3) USE.—Amounts deposited into the Ac-
2 count and credited to the national marine sanc-
3 tuaries program subaccount may be used by the Sec-
4 retary without further appropriation for operations
5 and activities of the national marine sanctuaries pro-
6 gram generally. Amounts deposited into the Account
7 and credited to the subaccount for an individual na-
8 tional marine sanctuary may be used by the Sec-
9 retary without further appropriation for operations
10 and activities of that sanctuary.”.

○